

CHAPTER NO. 293

HOUSE BILL NO. 1607

By Representatives Givens, Westmoreland, Lewis, Ferguson, Caldwell, Ronnie Cole, Patton, Ford, Fitzhugh, Maddox, McDonald, Newton, Bone, West, Godsey, David Davis

Substituted for: Senate Bill No. 1729

By Senators Crowe, Williams

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 30; Title 49, Chapter 50 and Title 49, Chapter 7, to enact the "Veterans' Educational Benefit Program Administrators' Improvement Act of 2001".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Veterans' Educational Benefit Program Administrators' Improvement Act of 2001".

SECTION 2. Tennessee Code Annotated, Section 49-7-102(a), is amended by deleting such subsection in its entirety and by substituting the following:

(a) Except as provided in subsection (d), every dependent child in this state under twenty-one (21) years of age, whose parent (father or mother) was killed, died as a direct result of injuries received, or has been officially reported as being either a prisoner of war or missing in action while serving honorably as a member of the United States armed forces during a qualifying period of armed conflict or was formerly a prisoner of war or missing in action under such circumstances, or the spouse of such veteran, is entitled to a waiver of tuition, maintenance fees, student activity fees and required registration or matriculation fees, and shall be admitted without cost to any of the institutions of higher education owned, operated and maintained by the state.

SECTION 3. Tennessee Code Annotated, Section 49-7-102(b)(1)(B), is amended by deleting such subdivision in its entirety and by substituting the following:

(B) Present official certification from the United States department of defense that the parent (father or mother) or spouse veteran has been officially reported as being a prisoner of war or missing in action while serving honorably as a member of the United States armed forces during a qualifying period of armed conflict or was formerly a prisoner of war or missing in action under such circumstances; or

SECTION 4. Tennessee Code Annotated, Section 49-7-102(b)(2), is amended by adding the following at the end of such subdivision:

The former prisoner of war or former missing in action service member from whom such eligibility derives shall be a citizen of this state at the time such person's dependent child or spouse applies for the educational assistance benefits established by this section.

SECTION 5. Tennessee Code Annotated, Section 49-7-102(b)(4), is amended by deleting such subdivision in its entirety and by redesignating subsequent subdivisions accordingly.

SECTION 6. Tennessee Code Annotated, Section 49-7-102(c)(3), is amended by deleting the word "or" at the end of subdivision (B); by deleting the period (.) at the end of subdivision (C) and by substituting instead the language "; or"; and by adding the following as new subdivisions (D) and (E):

(D) Kosovo Campaign Medal with at least one (1) bronze star appurtenance for specific military campaign participation by the veteran; or

(E) United States Department of Defense Prisoner of War Medal for former prisoners of war and former missing in action service members.

SECTION 7. Tennessee Code Annotated, Section 49-7-104(a)(1), is amended by deleting such subdivision in its entirety and by substituting instead the following:

(a) (1) The board of trustees of the University of Tennessee and the board of regents shall adopt procedures whereby a Tennessee resident who is enrolled at an institution of higher education within their jurisdictions under educational assistance benefits administered/provided by the United States department of veterans affairs or under other governmentally-funded educational assistance benefits may elect, upon formal application to the institution, to defer payment of the required tuition and fees until the student's monetary benefits from the department or other governmental agency have been received. Application for such deferment shall be made by the student prior to the commencement of the academic term for which deferment is being requested; however, if the student can prove to the institution that the student could not have reasonably made such application prior to the commencement of the academic term, application for deferment may be made at a later date.

SECTION 8. Tennessee Code Annotated, Section 49-7-104(a)(2), is amended by adding the following language at the end of such subdivision:

In no instance shall such deferment be extended for more than one (1) academic term after the academic term in which deferment was initially granted, if the student receiving such deferment has an outstanding balance of unpaid tuition or fees from the academic term in which deferment was initially granted.

SECTION 9. Tennessee Code Annotated, Section 49-7-104(a)(5), is amended by deleting such subdivision in its entirety and by substituting instead the following:

(5) Except as provided by subdivisions (2)-(4), such deferment shall not be grounds for a state institution of higher education to:

(A) deny or otherwise encumber a student's request for academic transcripts or term grade reports;

(B) prohibit or otherwise encumber a student from registering for courses at such institution for the academic term immediately following such deferment or extension of deferment or from re-enrolling at such institution at a subsequent date; or

(C) prohibit or otherwise encumber a student from graduating from such institution or from participating in graduation ceremonies conducted by such institution, provided all degree requirements have been met.

(6) No additional fees or service charges shall be imposed against a student by a state institution of higher education for deferred payments of tuition and fees made pursuant to this section; however, all other policies and procedures relative to the payment of fees and tuition and refunds thereof shall be applicable to a student who is deferring payment.

SECTION 10. The board of trustees of The University of Tennessee system and the board of regents of the state university, community college and area technology center system are directed to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.


SECTION 11. For the purposes of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect July 1, 2001, the public welfare requiring it.

PASSED: May 14, 2001


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 22nd day of May 2001


DON SUNDQUIST, GOVERNOR